

THE
Whole TRYAL and Indictment
OF
Sir John Barley-Corn, Knight.

A Person of Noble Birth and Extraction,
and well known to be both Rich and Poor throughout
the Kingdom of Great-Britain : Being accused for se-
veral Misdemeanours by him committed against Her
Majesty's Liege-people ; by Killing some, Wounding
others, and bringing Thousands to Beggary, to the
Ruin of many a good Family.

Here you have the Substance of the Evidence given in
against him on his Tryal, with the Names of the
Judges, Jury, and Witnesses : Also, the Comical De-
fence Sir John makes for himself, and the good Cha-
racter given him by some of his Neighbours ; name-
ly, *Hewson* the Cobler, an honest Friend to Sir John,
who is Entom'd as a Memorandum at the *Two-Brewers*
in *East-Smithfield*.

Taken in Short-Hand by Timothy Toss-pot, Foreman of the Jury.



(2)
The whole Tryal and Indictment of Sir John Barley-Corn, Knight.

BY a Special Commission of the Peace, held *Ostober* the 16th at *Full-Pot-Hall*, in the Kingdom of *Otopia*, before the Right Worshipful Sir *Solomon Sober-sides*, and Sir *Lucifer Bell-swagger*, chief Judges of the Court of King *Bacchus*, the afore-said Sir *John Barley-Corn*, Knight, was brought on his Tryal. The Court being sat, and the Prisoner plac'd at the Bar, the Jury was call'd over, as follows.

Timothy Toss-pot,
Benjamin Bumper,
Giles Lick-Spigor,
Barnaby Full-Pot,
Lancelot Toper,
John Six-go-downs,



Richard Standfast,
Small Stout,
John Never-Sober,
Obadiah Thirsty,
Nicholas Spend-Thrift,
Edmond Empty-Purse.

Against whom the Prisoner Sir *John* having no Exceptions, the Clerk proceeded to open the Indictment, as follows.

Clerk.] Sir *John Barley-Corn*, of the County of *Drink-Malt*, Kt for that thou hast in a very bold and audacious manner, knocked down, killed, maimed, and despoiled many of Her Majesty's good and lawful Subjects: Also, that thou hast for many Years, and still doth, hold a trayterous Conspiracy with *Banaby Hop*, Esq; and *Timothy Mash-Fat*, a Brewer, two as notorious Persons as thy self by and with their Assistance, to intoxicate the Heads of honest and well-meaning People, to the ruining and impoverishing of their Persons and Estates; so that many poor Man's Wife and Children sit at home, wanting what they sinfully waste in thy inticing Company, as will appcar by many credible Witnesses, who are deplorable Instances of the truth of this Indictment: Therefore what sayest thou? Art thou Guilty of the Fact for which thou standest Indicted, or not Guilty?

Sir John.] Not Guilty. *Clerk.*] How wilt thou be Try'd?

Sir John.] By the Opinion of all Judicious Persons.

Clerk.] Cryer, make Proclamation.

Cryer.] O yes, O yes: If any Person can inform the Judges of any Murders, Treasons, or other Misdemeanors committed by the Prisoner at the Bar, let them come into Court, and they shall be heard in their several Orders.

Clerk.] Call *John Vulcan* the Blacksmith. [*Vulcan.*] Here.

Clerk.] Inform the Judges what thou hast to alledge against the Prisoner at the Bar.

Vulcan

Vulcan.] May it please your Honours Worships, and you-Gentlemen of the Jury; I am very well, nay, very intimately acquainted with the Prisoner at the Bar, and that your Worships will have reason to judge when I have told you all: I am a Black-Smith by my Trade, and being liable to much Heat, I have for many Years had an unquenchable Spark in my Throat; which sometimes, I might say often, going to quench with a single Pot, Sir John has laid hold of me, and so drawn me in, that I have not been able to part without a Gallon, and when I would have gone about my Business, he has catcht me fast hold of the Noddle, trip'd up my Heels, and laid me flat on my Back, and made me unfit to go to Work for three Days after; and besides having my Head and my Bones ake the next Morning, it has set my Wife's Tongue a going like a Paper-Mill; so that with the Life I have liv'd on one side, and having my Pocket pick'd on t'other side, it makes me truly sensible of my Error, and that I think Sir John ought to be punished for seducing honest Men at this rate; so that I can hardly keep a Half-Peck Loaf in my Cupboard for keeping me Company. This, Gentlemen, is my Grievance, and I hope the Prisoner at the Bar shall be punish'd accordingly.

Clerk.] Call William Shuttle the Weaver.

Shuttle.] Gentlemen, I have a few Things to alledge against the Prisoner at the Bar, and those I shall sum up in a very few Words. I am but a poor Man, and have a Wife and a great Charge of Children; I am a Weaver by my Trade, and can never sit at my Loom but this Wicked Companion is enticing me from my Work, and is never quiet till he gets me to the Alehouse; and when I am there, I have no mind to come home again, where he always picks a Quarrel with me, and Abuses me; sometimes he sets upon me like a Robber or Foot-Pad, tyes me Neck and Heels, throws me into a Ditch, and there leaves me till next Morning with never a Penny in my Pocket; so that if you Hang him, Behead him, or Quarter him, you have my free consent with all my Heart and Soul, from the very bottom of my Belly. **[Clerk.]** Call Thomas Snip the Taylor. What do you know of the Prisoner at the Bar?

Snip.] Know: I'm sure I know no good of him; for my part never car'd for his Company in my Life, for I always lov'd my neighbour Mr. Wheat better than Barley: But one time as I was coming home from Work, I espy'd Sir John, and two or three good fellows a Quarrelling; so what do's I but steps in among them and made them good Friends, Sir John presently pick'd a Quarrel with me, gave me such a knock of the Crown that I fell backward, and had like to have Besh—t my self: I broke my Yard and both my Elbows, so that I could not Work for a Fortnight after: And that is still worse, he is got acquainted with my Wife, and sends her home in a Scolding Mood every Night, and for my part, un-

less I am as Drunk as she, I dare not say my Soul's my own; and if he continues to debauch her in that manner. I am an undone Man: Therefore I hope your Worship's will take it into your Considerations, and put him to the same Death that I have put many of my Enemies to, that is, snap off his Head.

Clerk.] Call *Sarah Stich*: Woman, tell the Court what you know of the Prisoner at the Bar; *Sir John Barley-Corn*: and speak out that the Court and Jury may hear you.

Sarah Stich.] Yes Sir, I will; I am sure I've reason enough to speak, that all the Town may hear me: May it please the Worshipful Bench, I am a poor Journey-Man Shoemakes Wife; and there's hardly a Night that I come home from my Business, for I sell Fish about the Streets, but I find my Husband in *Sir John Barley-Corns* Company, and ten to one, if I ask him to come home, and *Sir John* and He be very great, but he gives me a Kick of the Breach an't please your Honours: He can earn his Ten Shillings a Week, but what by neglecting his Work to follow *Sir John* up and down, and what he spends in his Company, it hardly comes to Ten Pence a Week. We have Three Children, and if he did not bustle in the World, we might all starve: And what vexes me more is, when my Husband was arrested by Mr. *Wheatly* the Baker, and in trouble, I went in all hast to his old Friend *Sir John Barley-Corn*, to see if I cou'd borrow a Crown toward paying the Bailiffs; but instead of lending me any thing, he told me he did not value my Husbonds Company, and that he had warn'd him several times to keep out of it; and yet this Fool when he has got 6 d. in his Pocket, will run immediately and spend it with him. So that if he been't punish'd some how or other, I and my Children are like to trouble the Parish.

Wheat the Baker.

[*Clerk.*] Call *James*

Wheat.] Most reverend Judge I have this to say against the Prisoner at the Bar, that I am daily and hourly abused by him; I have been a Man esteem'd of among the best of People, Lords, Knights and Esquires; and none could please them so well as *James Wheat* the Baker: But the Case is alter'd, *Sir John Barley-Corn* is the Mand that carries it. He is prefer'd in Gentlemens Houses; and is in favour with all Servants, especially the Butler: Many Countrey Gentlemen worship him, and fall down before him; nay, I can prove he has made many a one consume his Estate, to sell House and Land, and leave his Family Beggars, and all to maintain this idle and pernicious Companion, *Sir John Barley-Corn*; and when Men have nothing left, for the Fancy they bear to *Sir John Barley-Corn*, they'll rob or steal to keep him Company, when he is such an ungrateful Fellow himself, that if they were starving he wou'd not give them a Meals-Meat. Therefore I hope your Honours will,

take

and take it into Consideration, and as a common Disturbance and Grievance to Mankind, far beyond any Thief that steals their Goods, let him suffer Death according to his Demerits.

Sir Oliver Sober-sides.] *Sir John*, you hear the Charge against you, what have you to say for your self? You are represented as a Destructive Person to the Commonwealth; and indeed as the Evidence stands against you, unless you clear your self, I cannot see but that you highly deserve to suffer; it comes now in course that you make your Defence.

Sir Lucifer Bellswagger.] I am of Opinion, Brother Judge, that *John* will, and can fairly vindicate himself from this Charge; I shoud have no Man condemn him before he is heard: Nor can I see any harm in keeping him Company, so long as he does not force them: It shews rather, that he is a facetious merry Person, and of the pleasant Behaviour, that his Company is so desirous: Therefore let's hear him before we determine any thing.

Sir John.] I humbly beg that I may have the benefit of the Law, the benefit of every Freeborn Subject, to speak for my self: Every Man will strive to make his Case seem as good as he can, although he himself is in the greatest Fault, as the old Proverb says, *Some had rather steal a Sheep, than another look over the Hedge*, which is like my case, and I'm afraid there is Malice and Bribery against me: Now that I am accused by all these Persons, I shall answer them altogether, and did speak nothing but the Truth. I confess my Name is *Barley-corn*, and have been deservedly Knighted for the Service I have done the Commonwealth, of which I am a good and loyal Member. In the first place, Gentlemen, besides making many an honest Philan's Pot boil, I do Service to the Commonwealth by raising the Excise, a third part, which is one of the best Branches of the Crown revenue. I am deservedly esteem'd by all sober and moderate People, for the Good I do, when seasonably consulted, and put to a right use; I am one that never forces any Body, but leave them to do as they please, either to keep me Company, or let it alone. I hear that if they keep me Company, they may thank themselves: Mand whereas they say they are ruin'd by *Sir John Barley-Corn*, I will move the Indictment to be wrong laid; for 'tis not *Barley-Corn* that tries all this that they complain on, but my Uncle *Mault*, for I am an innocent Person till I am found in his Company, therefore I suppose you will not adjudge me for my Uncle's Faults, but put the Sadness on the right Horse.

Sir Oliver Sober-sides.] Truly there is some Reason in that: Mr. *Barley-corn* what do you say for your self? If you are not prepared, the Court is willing to grant you time.

Mr. Mault.] No, I am ready to answer for my self: As for my will, I will leave my Case to the Bench: First, I pray consider
take

with your selves, all Trades will live, and altho' I sometimes, with my Cousin Sir *John's* help, make a Cup of good Liquor, and many Men come to taste it, yet the Fault is in neither of us, but in them that make the Complaint: Else let 'em stay till they are sent for. Who can deny but that Mr. *Mault* can make a Cup of good Liquor, by the help of a good Brewer, and when it is made it must be sold, I pray which of you all can live without it? Where else would you sop your Toast and Nutmeg; and what should assuage the thirst of Gammons and Red-Herrings: Were I to suffer, Lords Knights and Esquires would want their *March-Beer* and *October* to treat their Tenants and their Friends: *Bottle-Ale* and *Stout* would be wanted at *Islington* and *Highgate*, to treat your Wives with: Old Women would want *Hot-Pots* of *Brandy* and *Ale*; and the good Wife that *Lies-in* could have no *Candle*. And consider whether these Grievances would not overwhelm the slender Complaint of these Persons, who have been of a greedy Mind, and cannot afford the Expence, and may justly be compared to the *Fox* in the Fable, *Who when he cou'd not come at the Grapes, cry'd they were sowre*. Then pray judge whether we or they were in the Fault.

Sir *Lucifer Bellswoager*.] Truly, I cannot see wherein you are blameable at all, if you make this appear: Have you no Witnesses to call?

Sir *John* and Mr. *Mault*.] Yes, several: Call *William Fallowfield* the Plowman. [The Plowman Enters.] Gentlemen, I pray may a Man speak without Offence, that do's intend to speak nothing but the truth, and no more?

The Judges.] Yes, thou may'st be bold to speak the truth, and no more, for that is the cause we sit here for; therefore speak boldly, that we may understand thee.

The Plowman.] Gentlemen, in the first place, let me hear what bold impudent Rogue dare speak one Word against Sir *John Barley-Corn*? whosoever he is, he is no better than a Rogue, a Thief, a Vagabond, a Traytor to the *Brown Loaf*, a Thief to the *Brass Pot*, the *Oven*, and the *Spit*. Nay, he is a Traytor to the whole World, that would rake away the Life of so noble a Man as Sir *John Barley-Corn*, for he is a Man of an ancient House, and is come of a noble Race; there is neither Lord, Knight, or Squire, but they love his Company, and he theirs, as long as they do not abuse him: He will abuse no Man, but doth a great deal of Good, as I can make appear in many kind of ways. And in the first place, few Plowmen can live without him; for if it were not for him, we could not pay our Landlords their Rents, and then I pray, what would such Men do for Money and Fine Cloaths? Nay, your gallant Ladies would care but little for you, if you had not your Rents coming in to maintain them? and we could not pay it, but the

Sir John Barley-Corn feeds us with Money; and yet would you seek to take his
 life? For shame let your Malice cease, and pardon his Life, or else we are all
 undone. [Enter Mr. Grains the Brewer.] Gentlemen, I beseech you hear
 me speak, my Name is Grains, a Brewer, and I do believe few of you can live
 without a Cup of good Liquor, no more can I tell how to live without the
 help of Sir John Barley-Corn. As for my own part, I maintain a great Charge,
 and keep a great many Men at work; I pay Taxes Forty Pound a Year to Her
 Majesty, God bless her, and all this is maintain'd by the help of Sir John; then
 how can any Man for shame take away his Life? [Enter Mrs. Full-pot the
 Hostess.] Take his Life! I pray who is that which would take his Life? It
 is Sir John Barley-Corn, Mrs. Hostess; they say they would take off his Head.
 How take off his Head? then they shall take off mine too. What impudent
 Rogues be they that say so? I am persuaded they be none that loves the poor
 commonalty: Surely they be none but some miserable Rogues, that make
 their Bags their God, heaping up their Chests of Money to stop the Devil's
 mouth when he comes to fetch them: Such as these would have no Body live
 but themselves. Indeed, such as these do not care to take off the Head of any
 Man, if they could but enrich themselves by it. Away Vagabonds, away you
 good-sucking Rogues, away you Muck-Worms of the World, you would
 have no Body live but your selves. I hope Sir John will stay amongst us, when
 Nick will fetch such as you away by Ten at a Burthen. Gentlemen, I do
 beseech you not to take notice of what such Fellows say, for they care not
 what Blood they shed. As for Sir John, I know him to be an honest Man,
 and never abused any Man, if they abuse not him: First, in so doing they a-
 bush themselves, for all they say he abuses them: I do protest to you Gentle-
 men, before you take his Life, you shall take mine: Nay, I beseech you give
 leave to speak to you; if you put him to Death, all England is undone,
 there is not such another in the Land that can do as he can do, and hath
 more; for he can make a Cripple to go, he can make a Coward to fight with
 a valiant Soldier: Nay, he can make a good Soldier feel neither Hunger nor
 Cold. Besides, for Valour in himself, there is few can Encounter with him;
 he can pull down the strongest Man in the World, and lay him fast asleep.
 Therefore I beseech you Gentlemen let him live, or else we are all undone.
 [Court.] Have you any more? [Sir John.] Yes, call Mr. Overgaze the
 Excise-Man. [Enter Excise-Man.] Gentlemen, all that this Woman has
 said before me, is true; besides all other Benefits accruing by Sir John and his
 worthy Uncle Mr. Mault: There are upwards of 1500 idle broken Fellows of
 England, besides in Ireland and Scotland; and if they suffer,
 and our Families must all starve, for we are too lazy to work: Therefore
 I hope among the rest, you will consider our Cases, and acquit the Prisoners.
 [Court.] Gentlemen of the Jury, you have heard the Evidence on both sides,
 as to the Validity of it, I find the soberest Persons are those for the Pri-
 soners: 'Tis true, Sir John is accused of Ingratitude, and that in some mea-
 sure may be true, yet no Person is bound by the Laws to support another in his
 extravagance, nor to do more than they please: Therefore we think, if you
 believe the Credit of Sir John's Witnesses, you must acquit the Prisoners; or
 if you think the other of most Credit, then you are to find them Guilty: But
 the Jury is left with you, and so go together.
 The Jury went out, and after half an Hours stay, return'd into Court.
 [Clerk.] Gentlemen of the Jury, are you agreed in your Verdict?
 [Jury.] Yes. [Clerk.] Who shall say for you? [Jury.] Our Fore-
 man, Timothy Toss-pot. [Clerk.] Sir John Barley-Corn, and Matthew
 your galls, hold up your Hands; Look on the Prisoners: What say you, are they
 guilty of the Crimes for which they stand Indicted, or not Guilty?
 [Foreman.]

Foreman.] Not Guilty: *Clerk.*] And so you say all. *Jury.*] Y
Clerk.] Prisoners, down on your Knees and thank the Court
 Upon which Sir John Barley-Corn, and his Uncle, paying the
 Fees, went out of Court, and so to the Tavern, and there comp
 led the following S O N G.

The Tune is, Sir John Barley-Corn.

A L L You that be good Fellows,
 come listen unto me,
 If that you keep the Ale-House,
 and merry Company.

My Name is Sir John Barley-Corn,
 which many know full well,
 My Brother's Name is Master Mault,
 as many a one can tell.

Though Smug the honest Blacksmith,
 on me doth fore complain,
 E'er long I know I shall not miss
 to shoot him through the Brain.

And honest Will the Weaver,
 for all he is so stout,
 I know he'll do his Endeavour
 to have the other Bout.

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 And Nick the nimble Taylor,
 will venture his best Shears,
 Till Barley-Corn and Master Mault
 doth take him by the Ears.

Though Master Wheat the Baker,
 he be my younger Brother,
 He'll not deny a Bout to try,
 with me or any other.

There's not a Tradesman in this Land
 That ever yet was Born,
 But will be toucht sometimes too much
 of Sir John Barley-Corn.

Therefore all honest Tradesmen,
 a good Word for me give;
 And pray that Sir John Barley-Corn,
 may always with you live.

F I N I S.